

Message

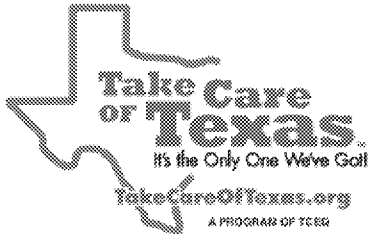
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**From:** Richard Chism [Richard.Chism@tceq.texas.gov]  
**Sent:** 2/16/2023 3:54:22 PM  
**To:** Ngo, Kim [Ngo.Kim@epa.gov]  
**CC:** Garcia, David [Garcia.David@epa.gov]; Donaldson, Guy [Donaldson.Guy@epa.gov]; Feldman, Michael [Feldman.Michael@epa.gov]  
**Subject:** RE: TX SSM SIP call - proposed action

Thank you, Kim. I appreciate the call and the follow up information.

Cory

**Cory Chism**  
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**From:** Ngo, Kim <Ngo.Kim@epa.gov>  
**Sent:** Thursday, February 16, 2023 9:51 AM  
**To:** Richard Chism <Richard.Chism@tceq.texas.gov>  
**Cc:** Garcia, David <Garcia.David@epa.gov>; Donaldson, Guy <Donaldson.Guy@epa.gov>; Feldman, Michael <Feldman.Michael@epa.gov>  
**Subject:** TX SSM SIP call - proposed action

Good Morning Corey,

Thank you for taking my call regarding the proposed action that was signed yesterday by the EPA Administrator. I'm following up with an email on behalf of David Garcia, who is out of the office.

EPA is proposing to reinstate our finding of substantial inadequacy – a state implementation plan or SIP call – for the portion of Texas' state plan addressing excess emissions from industries within the state during periods of startup, shutdown and malfunction (SSM). EPA initially made this finding in 2015 but subsequently withdrew it in 2020.

After further evaluation of Texas' SIP and our policy governing periods of SSM, we have determined components of the Texas SIP are substantially inadequate to comply with Clean Air Act requirements and EPA's SSM Policy.

If EPA finalizes a finding of substantial inadequacy and issues a SIP call for Texas, the final action will establish a deadline for submitting a revised SIP. EPA is proposing that the deadline would be 18 months after the final finding publishes in the *Federal Register*. EPA encourages and supports states to develop approvable and responsive SIPs. We want to give you sufficient time to make appropriate SIP revisions following your own SIP development process.

Please let us know if you have any questions. Guy Donaldson is also out this week, but Michael Feldman is available should you or your staff have questions. I have copied them in the email above.

Thank you.

Kim

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